



U.S. Department of Justice

United States Attorney  
Eastern District of New York

610 Federal Plaza  
Central Islip, New York 11722

JHK:DCL

February 23, 2016

By Email to:  
[southertm@pepperlaw.com](mailto:southertm@pepperlaw.com)

Thomas McC. Souther, Esq.  
Pepper Hamilton LLP  
The New York Times Building  
620 Eighth Avenue, 37<sup>th</sup> Floor  
New York, New York 10018-1405

Re: United States v. Kenner and Constantine  
CR-13-607 (S-2)

Dear Mr. Souther:

We are seeking the following additional documentation from your client, Kenneth Jowdy, with regard to the project at Diamante Cabo San Lucas:

- 1) Detailed financial statements from August 2015 to the present, including but not limited to, general ledgers for all accounts, both United States and Mexican, relating to the operation of Diamante Cabo San Lucas ("DCSL").
- 2) All DCSL credit cards statements from August 2015 to present.
- 3) All DCSL records of reimbursements for business and entertainment expenses from August 2015 to present.
- 4) Capital contributions for the purchase of Diamante Properties.
- 5) A list of any potential large land deals (not in the normal course of everyday business).
- 6) Copies of contracts or agreements relating to the use of any outside real estate brokers for regular sales and timeshare sales.
- 7) Copies of invoices and payments of all legal expenses or fees being paid directly or indirectly by DCSL.



- 8) Copies of all payments to Silver Peak, LLC or its employees from August 2015 to present.
- 9) Records regarding Diamante Club, LLC; Diamante CSL, LLC; Diamante Life, S. De R L De CV; Diamante Development, S. de R.L. de C.V.; and Pacifico Associates, S.C., including, but not limited to, operating agreements, informal agreements, general ledgers, expenses, owners and employees.
- 10) All monthly construction reports from August 2015 to present.
- 11) All employee payroll records.
- 12) All corporate tax returns.

Thank you for your attention to this matter. If you have any questions, please contact the undersigned.

Very truly yours,  
ROBERT L. CAPERS  
United States Attorney

By: /s/ Diane C. Leonardo  
Diane C. Leonardo  
Assistant U.S. Attorney  
(631) 715-7854